

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MORGAN STANLEY DW INC.

Plaintiff

vs

CIVIL 04-1106CCC

CARLOS SOTO
ISABEL CRUZ, THE CONJUGAL
PARTNERSHIP CONSTITUTED BY THEM,
in their personal character and doing business
as MANATI CORPORATION,
BASLEY ADV. CORPORATION,
ICR CORPORATION,
ASFALTO DEL NOROESTE
and CONCRETERA DEL NOROESTE

Defendants

O R D E R

Having considered the motion addressed to the undersigned in this case, entitled Verified Motion to Reconsider Denials of Protective Remedies Sought Regarding Disbursement of Funds in Accordance with Paragraph 1 of Order Dated February 20, 2004 in Civil 04-1105(JP) and Order Dated May 2, 2005 (docket entry 141, Cr. 04-0127CCC), Memorandum in Support Thereof, Cross Claim and Counterclaim filed by defendant Isabel Cruz on May 19, 2005 (docket entry 90) and plaintiff's Opposition and Request that Counterclaim be Stricken From the Record filed on June 1, 2005 (docket entry 92), defendant Cruz' Response to Opposition to Docket Entry 90 and Requesting that Counterclaim be Stricken and Request for Leave to Amend the Counterclaim and Memorandum (docket entry 94) and Cruz' Supplementary Motion to her Docket Entry 90 (docket entry 96), the Opposition Thereto (docket entry 99) as well as plaintiff's Surreply to Docket Entry 94 (docket entry), authorized by endorsed order, the Court RULES as follows:

Cruz' Verified Motion to Reconsider mentioned above (**docket entry 90**) as well as her Supplementary Motion (**docket entry 96**) are DENIED as is her Request for Leave to Amend Counterclaim included in docket entry 94.

CIVIL 04-1106CCC

The pleading entitled "Cross Claim and Counterclaim Against Morgan Stanley" at page 6-8 of Cruz' docket entry 90 are ORDERED STRICKEN.

SO ORDERED.

At San Juan, Puerto Rico, on August 5, 2005.

S/CARMEN CONSUELO CEREZO
United States District Judge